

(summary dismissal of habeas petition Dec. 23, 2021); Foltz v. Commonwealth, C.A. No. 21-11915-AK (show cause order); and Foltz v. Commonwealth, C.A. No. 21-11865-DJC (summary dismissal of habeas petition Dec. 23, 2021); Foltz v. Welsh, C.A. No. 21-11915-AK (show cause order issued May 12, 2022); and Foltz v. Commonwealth, C.A. No. 22-10830-AK (filed May 31, 2022).

Here, Foltz raises identical claims to those asserted in the complaints filed in Foltz v. Commonwealth, C.A. No. 21-11915-AK (pending) and Foltz v. Commonwealth, C.A. No. 22-10830-AK (pending). In fact, the instant complaint is identical to the complaint filed in Foltz v. Commonwealth, C.A. No. 22-10830-AK.


Because Foltz' claims arise from alleged violations of Foltz' rights during criminal proceedings in the Orleans District Court, the Court dismisses them as impermissibly duplicative. A plaintiff "should not file duplicative lawsuits in the same court." Elliott-Lewis v. Labs., No. 19-10379-PBS, 378 F.Supp.3d 67, 70 (D. Mass. 2019) (citing Connectu LLC v. Zuckerberg, 522 F.3d 82, 89 n.5 (1st Cir. 2008)).

In light of the fact that Foltz is pursuing identical claims in already pending actions, and as a matter of judicial economy and the district court's inherent authority to manage its own dockets, this Court finds no good basis for permitting this duplicative complaint to proceed. See Elliott-Lewis, 378

F.Supp.3d at 70 (citing Curtis v. Citibank, N.A., 226 F.3d 133, 138 (2d Cir. 2000) ("As part of its general power to administer its docket, a district court may stay or dismiss a suit that is duplicative of another federal court suit.")).

Accordingly, it is hereby Ordered that this action is dismissed without prejudice.

So ordered.


Nathaniel M. Gorton
United States District Judge

Dated: July 7, 2022